

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

GARY JUNOT

CIVIL ACTION NO. 3:08-CV-1385

VERSUS

SECTION P

JUDGE JAMES

JERRY W. GOODWIN, WARDEN

MAGISTRATE JUDGE HAYES

MEMORANDUM ORDER

Before the Court is a petition for writ of *habeas corpus* (28 U.S.C. § 2254) [rec. doc. 1] and an application to proceed *in forma pauperis* [rec. doc. 2] filed by *pro se* petitioner Gary Junot on September 19, 2008. Petitioner is an inmate in the custody of Louisiana's Department of Public Safety and Corrections. He is incarcerated at the Steve Hoyle Rehabilitation Center in Tallulah, Louisiana, where he is serving a ten year sentence imposed following his 2004 conviction for driving while intoxicated – fourth offense. This conviction occurred in the Twenty Fourth Judicial District Court, Jefferson Parish, Louisiana. Petitioner challenges the legality of the Jefferson Parish conviction. 28 U.S.C. §2241(d) provides,

Where an application for a writ of *habeas corpus* is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application. The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.

Although petitioner is incarcerated within the jurisdiction of this court, the undersigned finds that

the ends of justice would be furthered by transferring this application to the district court where petitioner was convicted, because that is where the challenged action occurred and it would be more convenient for witnesses should a hearing be required.

Accordingly,

IT IS ORDERED that the petition for writ of *habeas corpus* and its accompanying application to proceed *in forma pauperis* be and they are hereby **TRANSFERRED** to the United States District Court for the Eastern District of Louisiana.

In chambers, Monroe, Louisiana, September 22, 2008.

A handwritten signature in black ink, appearing to read "Karen L. Hayes", is written over a horizontal line.

KAREN L. HAYES
U. S. MAGISTRATE JUDGE